

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

2006 JUL 21 AM 10:31

IN RE:

Chapter 11

W. R. Grace & Co., et al.,

Case No. 01-1139 (JFK)  
Jointly Administered

Debtors.

Re: Docket Nos. 9301, 11023, 11403

LAW OFFICES OF MATTHEW BERGMAN CLAIMANTS' GENERAL OBJECTIONS AND  
RESPONSES TO DEBTORS' ASBESTOS PERSONAL INJURY QUESTIONNAIRE

All claimants represented by the Law Offices of Matthew Bergman, a Professional Services Corporation, hereby makes the following general objections to debtors' "standard questionnaire" to personal injury claimants:

1. Claimants object to the jurisdiction of this Court and that of the United States Bankruptcy Court for the District of Delaware. By filing these answers and objections, claimants do not submit to these Courts' jurisdiction, and reserve all objections to such jurisdiction.

2. Claimants object to the questionnaire to the extent that it seeks information broader or more extensive than that properly discoverable in the cases in the tort system in which claimants are seeking, or have sought, compensation for the injuries in question. Since state law governs claimants' claims, information that would not be discoverable under state law is likewise not discoverable in this proceeding.

3. Claimants hereby incorporate, as additional objections, all objections and arguments set forth in any other parties or committees' objections.

4. Claimants object to this questionnaire pursuant to Fed. R. Civ. Proc. 26(b)(2), on the ground that it is unduly burdensome, and that the burden and expense of providing this

LAW OFFICES OF MATTHEW BERGMAN CLAIMANTS'  
GENERAL OBJECTIONS AND RESPONSES TO DEBTORS'  
ASBESTOS PERSONAL INJURY QUESTIONNAIRE- 1

V:\Defendants\WR Grace\W. R. Grace - General Objections\PLD\_General Objections and Responses to Debtors' Standard  
Questionnaire.doc

LAW OFFICES OF  
MATTHEW BERGMAN  
P.O. Box 2010, 17530 VASHON HIGHWAY SW  
VASHON, WA 98070  
TELEPHONE: 206.463.4264  
FACSIMILE: 206.463.4470


1 information outweighs its likely benefit in any permissible bankruptcy estimation proceeding.

2 5. Claimants object to any part of the questionnaire that seeks production of confidential  
3 information such as settlements with other defendants.

4 Subject to and without waiving these objections, all Law Offices of Matthew Bergman  
5 claimants have answered the questionnaire by attaching the interrogatory answers and other  
6 discovery products filed by claimants in the case filed by claimant in the tort system. All of the  
7 information within claimants' knowledge that is responsive to the questionnaire is contained in  
8 these interrogatory answers and their exhibits. Cf. Fed. R. Civ. Proc. 33(d) and 26(b)(2). These  
9 answers were submitted to the Claims Processing Agent.

10 RESPECTFULLY SUBMITTED this 20 day of July, 2006.

11 LAW OFFICES OF MATTHEW BERGMAN

12  
13 By   
14 Matthew P. Bergman, WSBA #20894  
15 P.O. Box 2010  
16 17530 Vashon Hwy S.W.  
17 Vashon, WA 98070  
(206) 957-9510  
(206) 463-4470 - fax

18 Attorneys for Claimant

19  
20  
21  
22  
23  
LAW OFFICES OF MATTHEW BERGMAN CLAIMANTS'  
GENERAL OBJECTIONS AND RESPONSES TO DEBTORS'  
ASBESTOS PERSONAL INJURY QUESTIONNAIRE- 2

V:\Defendants\WR Grace\W. R. Grace - General Objections\PLD - General Objections and Responses to Debtors' Standard  
Questionnaire.doc

LAW OFFICES OF  
MATTHEW BERGMAN  
P.O. BOX 2010, 17530 VASHON HIGHWAY SW  
VASHON, WA 98070  
TELEPHONE: 206.463.4264  
FACSIMILE: 206.463.4470